

9.406-4 Period of debarment.

(a)

(1) Debarment shall be for a period commensurate with the seriousness of the cause(s). Generally, debarment should not exceed 3 years, except that-

(i) Debarment for violation of the provisions of [41 U.S.C. chapter 81](#), Drug-Free Workplace (see [23.506](#)) may be for a period not to exceed 5 years;

(ii) Debarments under [9.406-2\(b\)\(2\)](#) shall be for 1 year unless extended pursuant to paragraph (b) of this section; and

(iii) Debarments pursued as a remedy under [9.109-4\(d\)](#), for a false certification regarding violations of arms control treaties or agreements with the United States, shall be for a period of not less than 2 years.

(2) If suspension precedes a debarment, the suspension period shall be considered in determining the debarment period.

(b) The debarring official may extend the debarment for an additional period, if that official determines that an extension is necessary to protect the Government's interest. However, a debarment may not be extended solely on the basis of the facts and circumstances upon which the initial debarment action was based. Debarments under [9.406-2\(b\)\(2\)](#) may be extended for additional periods of one year if the Secretary of Homeland Security or the Attorney General determines that the contractor continues to be in violation of the employment provisions of the Immigration and Nationality Act. If debarment for an additional period is determined to be necessary, the procedures of [9.406-3](#) shall be followed to extend the debarment.

(c) The debarring official may reduce the period or extent of debarment, upon the contractor's request, supported by documentation, for reasons such as-

(1) Newly discovered material evidence;

(2) Reversal of the conviction or civil judgment upon which the debarment was based;

(3) Bona fide change in ownership or management;

(4) Elimination of other causes for which the debarment was imposed; or

(5) Other reasons the debarring official deems appropriate.

Parent topic: [9.406 Debarment.](#)